

EXHIBIT C



United States Patent and Trademark Office

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2020

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81 ¹	14185
a. By patent owner	3954 27.9%
b. by other member of the public	10056 70.9%
c. By order of Commissioner	175 1.2%
2. Number of Filings by discipline	
a. Chemical Operation	3843 27.1%
b. Electrical Operation	5279 37.2%
c. Mechanical Operation	4790 33.8%
d. Design Patents	273 1.9%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No	
1981 78 (3 mos.) 1989 242 1997 380 2005 520 2013 305	
1982 187 1990 297 1998 348 2006 473 2014 355	
1983 186 1991 309 1999 391 2007 600 2015 244	
1984 189 1992 390 2000 312 2008 690 2016 222	
1985 230 1993 359 2001 295 2009 603 2017 191	
1986 232 1994 379 2002 272 2010 697 2018 187	
1987 240 1995 395 2003 394 2011 734 2019 163	
1988 269 1996 413 2004 436 2012 780 2020 198	
4. Number known to be in litigation.....	5428 38.3%
5. Decisions on requests ²	14185
a. No. granted	13082 92.2%
(1) By examiner	12888
(2) By Director (on petition)	194
b. No. denied	1183 8.3%
(1) By examiner	1103
(2) Reexam vacated	80
6. Total examiner denials (includes denials reversed by Director).....	1103
a. Patent owner requester	525 47.6%
b. Third party requester	578 52.4%

¹ Total decisions on requests does not include requests that have been vacated or are pending.² The Director granted requests are only granted petitions on denial under 37 CFR 1.515.³ Historic certificates were reviewed and the data in items 8-10 reflects the outcome of the review to the extent the data is available as of Oct 1, 2020

7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	25.7 (mos.)
b. Median pendency	19.3 (mos.)

8. Reexam certificate claim analysis: ³	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall	Numbers
a. Certificates with all claims confirmed	6%	14%	0%	20.9%	2672
b. Certificates with all claims canceled	3%	10%	0%	13.1%	1668
c. Certificates with claims changes	22%	44%	1%	66.0%	8424

9. Total ex parte reexamination certificates issued (1981 – present) 12764

10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.

a. Certificates – PATENT OWNER REQUESTER		3960
a. All claims confirmed	809	20.4%
b. All claims canceled	396	10.0%
c. Claims changed	2755	69.6%
b. Certificates – 3rd PARTY REQUESTER		8630
a. All claims confirmed	1846	21.4%
b. All claims canceled	1226	14.2%
c. Claims changed	5558	64.4%
c. Certificates – COMMISSIONER INITIATED REEXAM		174
a. All claims confirmed	17	9.8%
b. All claims canceled	46	26.4%
c. Claims changed	111	63.8%

¹ Total decisions on requests does not include requests that have been vacated or are pending.

² The Director granted requests are only granted petitions on denial under 37 CFR 1.515.

³ Historic certificates were reviewed and the data in items 8-10 reflects the outcome of the review to the extent the data is available as of Oct 1, 2020



United States Patent and Trademark Office

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2019

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	13987	
a. By patent owner	3919	28%
b. by other member of the public	9893	71%
c. By order of Commissioner	175	1%
2. Number of Filings by discipline		
a. Chemical Operation	3791	27%
b. Electrical Operation	5214	37%
c. Mechanical Operation	4732	34%
d. Design Patents	250	2%
3. Annual <i>Ex Parte</i> Reexam Filings		
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No		
1981 78 (3 mos.) 1989 242 1997 380 2005 520 2013 305		
1982 187 1990 297 1998 348 2006 473 2014 355		
1983 186 1991 309 1999 391 2007 600 2015 244		
1984 189 1992 390 2000 312 2008 690 2016 222		
1985 230 1993 359 2001 295 2009 603 2017 191		
1986 232 1994 379 2002 272 2010 697 2018 187		
1987 240 1995 395 2003 394 2011 734 2019 163		
1988 269 1996 413 2004 436 2012 780		
4. Number known to be in litigation.....	1938	14%
5. Decisions on requests ²	14130	
a. No. granted	12905	91%
(1) By examiner	12718	
(2) By Director (on petition)	187	
b. No. denied	1277	9%
(1) By examiner	1225	
(2) Reexam vacated	52	
6. Total examiner denials (includes denials reversed by Director).....	1226	
a. Patent owner requester	524	43%
b. Third party requester	702	57%

1 Total decisions on requests does not include requests that have been vacated or are pending.

2 The Director granted requests are only granted petitions on denial under 37 CFR 1.515.

7. Overall reexamination pendency (Filing date to certificate issue date).....					
a. Average pendency				25.8 (mos.)	
b. Median pendency				19.4 (mos.)	
8. Total ex parte reexamination certificates issued (1981 - present).....				11980	
	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall	Numbers
a. Certificates with all claims confirmed	6%	15%	0%	20.7%	2480
b. Certificates with all claims canceled	3%	10%	0%	12.7%	1517
c. Certificates with claims changes	19%	46%	1%	66.6%	7983
9. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.					
a. Certificates – PATENT OWNER REQUESTER					3325
a. All claims confirmed				693	21%
b. All claims canceled				300	9%
c. Claims changed				2332	70%
b. Certificates – 3rd PARTY REQUESTER					8481
a. All claims confirmed				1769	21%
b. All claims canceled				1170	14%
c. Claims changed				5542	65%
c. Certificates – COMMISSIONER INITIATED REEXAM					174
a. All claims confirmed				18	10%
b. All claims canceled				47	27%
c. Claims changed				109	63%

1 Total decisions on requests does not include requests that have been vacated or are pending.

2 The Director granted requests are only granted petitions on denial under 37 CFR 1.515.



United States Patent and Trademark Office

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2018

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	14005
a. By patent owner	4137 30%
b. by other member of the public	9825 70%
c. By order of Commissioner	43 0%
2. Number of Filings by discipline	
a. Chemical Operation	3782 27%
b. Electrical Operation	5270 38%
c. Mechanical Operation	4717 34%
d. Design Patents	236 2%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No	
1981 78 (3 mos.) 1989 242 1997 380 2005 520 2013 305	
1982 187 1990 297 1998 348 2006 473 2014 355	
1983 186 1991 309 1999 391 2007 601 2015 243	
1984 189 1992 390 2000 312 2008 691 2016 225	
1985 230 1993 359 2001 295 2009 605 2017 189	
1986 232 1994 379 2002 272 2010 698 2018 189	
1987 240 1995 395 2003 394 2011 736	
1988 269 1996 413 2004 436 2012 781	
4. Number known to be in litigation.....	4731 34%
5. Decisions on requests.....	13178
a. No. granted	12042 91%
(1) By examiner	11891
(2) By Director (on petition)	151
b. No. denied	1136 9%
(1) By examiner	1089
(2) Reexam vacated	47
6. Total examiner denials (includes denials reversed by Director).....	2272
a. Patent owner requester	586 26%
b. Third party requester	1686 74%
7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	27.7 (mos.)
b. Median pendency	19.8 (mos.)

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2018

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All claims canceled	3%	10%	0%	12%
c. Claims changed	20%	47%	0%	67%
9. Total ex parte reexamination certificates issued (1981 – present)				11403
a. Certificates with all claims confirmed			2391	21%
b. Certificates with all claims canceled			1404	12%
c. Certificates with claims changes			7608	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3337
a. All claims confirmed			690	21%
b. All claims canceled			293	9%
c. Claims changed			2313	69%
b. Certificates – 3rd PARTY REQUESTER				8362
a. All claims confirmed			1681	20%
b. All claims canceled			1062	13%
c. Claims changed			5174	62%
c. Certificates – COMMISSIONER INITIATED REEXAM				41
a. All claims confirmed			2	5%
b. All claims canceled			23	56%
c. Claims changed			16	39%



United States Patent and Trademark Office

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2017

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	13641
a. By patent owner	3912 29%
b. by other member of the public	9686 71%
c. By order of Commissioner	43 0%
2. Number of Filings by dicipline	
a. Chemical Operation	3670 27%
b. Electrical Operation	5148 38%
c. Mechanical Operation	4596 34%
d. Design Patents	227 2%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No	
1981 78 (3 mos.) 1989 242 1997 380 2005 520 2013 305	
1982 187 1990 297 1998 348 2006 473 2014 355	
1983 186 1991 309 1999 391 2007 601 2015 243	
1984 189 1992 390 2000 312 2008 691 2016 219	
1985 230 1993 359 2001 295 2009 605 2017 191	
1986 232 1994 379 2002 272 2010 698	
1987 240 1995 395 2003 394 2011 736	
1988 269 1996 413 2004 436 2012 781	
4. Number known to be in litigation.....	4648 34%
5. Decisions on requests.....	13147
a. No. granted	12047 92%
(1) By examiner	11913
(2) By Director (on petition)	134
b. No. denied	1100 8%
(1) By examiner	1054
(2) Reexam vacated	46
6. Total examiner denials (includes denials reversed by Director).....	1056
a. Patent owner requester	494 47%
b. Third party requester	562 53%
7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	26.4 (mos.)
b. Median pendency	19.4 (mos.)

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2016

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	46%	0%	67%
9. Total ex parte reexamination certificates issued (1981 – present)				11403
a. Certificates with all claims confirmed			2391	21%
b. Certificates with all claims canceled			1404	12%
c. Certificates with claims changes			7608	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3296
a. All claims confirmed			690	21%
b. All calims canceled			293	9%
c. Claims changed			2313	70%
b. Certificates – 3rd PARTY REQUESTER				7917
a. All claims confirmed			1681	21%
b. All calims canceled			1062	13%
c. Claims changed			5174	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				41
a. All claims confirmed			2	5%
b. All calims canceled			23	56%
c. Claims changed			16	39%



United States Patent and Trademark Office

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2016

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	13450	
a. By patent owner	3887	29%
b. by other member of the public	9520	71%
c. By order of Commissioner	43	0%
2. Number of Filings by dicipline		
a. Chemical Operation	3632	27%
b. Electrical Operation	5085	38%
c. Mechanical Operation	4521	34%
d. Design Patents	212	2%
3. Annual <i>Ex Parte</i> Reexam Filings		
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No		
1981 78 (3 mos.) 1989 242 1997 380 2005 520 2013 305		
1982 187 1990 297 1998 348 2006 473 2014 355		
1983 186 1991 309 1999 391 2007 601 2015 243		
1984 189 1992 390 2000 312 2008 691 2015 219		
1985 230 1993 359 2001 295 2009 605		
1986 232 1994 379 2002 272 2010 698		
1987 240 1995 395 2003 394 2011 736		
1988 269 1996 413 2004 436 2012 781		
4. Number known to be in litigation.....	4350	32%
5. Decisions on requests.....		12929
a. No. granted	11835	92%
(1) By examiner	11704	
(2) By Director (on petition)	131	
b. No. denied	1094	8%
(1) By examiner	1048	
(2) Reexam vacated	46	
6. Total examiner denials (includes denials reversed by Director).....		1048
a. Patent owner requester	492	47%
b. Third party requester	556	53%
7. Overall reexamination pendency (Filing date to certificate issue date).....		
a. Average pendency	25.77 (mos.)	
b. Median pendency	20.2 (mos.)	

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2016

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	45%	0%	66%
9. Total ex parte reexamination certificates issued (1981 – present)				10979
a. Certificates with all claims confirmed			2337	21%
b. Certificates with all claims canceled			1339	12%
c. Certificates with claims changes			7303	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3270
a. All claims confirmed			685	21%
b. All calims canceled			291	9%
c. Claims changed			2294	70%
b. Certificates – 3rd PARTY REQUESTER				7519
a. All claims confirmed			1631	22%
b. All calims canceled			999	13%
c. Claims changed			4889	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				41
a. All claims confirmed			2	5%
b. All calims canceled			23	56%
c. Claims changed			16	39%

1 Total decisions on requests does not include requests that have been vacated or are pending.



United States Patent and Trademark Office

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2015

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	13136	
a. By patent owner	3957	30%
b. by other member of the public	9014	69%
c. By order of Commissioner	165	1%
2. Number of Filings by dicipline		
a. Chemical Operation	3569	27%
b. Electrical Operation	5265	40%
c. Mechanical Operation	4418	34%
d. Design Patents	220	2%
3. Annual <i>Ex Parte</i> Reexam Filings		
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No		
1981 78 (3 mos.) 1989 243 1997 376 2005 524 2013 296		
1982 187 1990 297 1998 350 2006 511 2014 342		
1983 186 1991 307 1999 385 2007 643 2015 240		
1984 189 1992 392 2000 318 2008 680		
1985 230 1993 359 2001 296 2009 658		
1986 232 1994 379 2002 272 2010 780		
1987 240 1995 392 2003 392 2011 759		
1988 268 1996 418 2004 441 2012 787		
4. Number known to be in litigation.....	4819	37%
5. Decisions on requests.....		12641
a. No. granted	11623	92%
(1) By examiner	11492	
(2) By Director (on petition)	131	
b. No. denied	1018	8%
(1) By examiner	980	
(2) Reexam vacated	38	
6. Total examiner denials (includes denials reversed by Director).....		1118
a. Patent owner requester	496	44%
b. Third party requester	622	56%
7. Overall reexamination pendency (Filing date to certificate issue date).....		
a. Average pendency	26.5 (mos.)	
b. Median pendency	19.6 (mos.)	

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2015

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	45%	1%	67%
9. Total ex parte reexamination certificates issued (1981 – present)				10951
a. Certificates with all claims confirmed			2331	21%
b. Certificates with all claims canceled			1334	12%
c. Certificates with claims changes			7286	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3268
a. All claims confirmed			685	21%
b. All calims canceled			291	9%
c. Claims changed			2292	70%
b. Certificates – 3rd PARTY REQUESTER				7513
a. All claims confirmed			1628	22%
b. All calims canceled			998	13%
c. Claims changed			4887	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				170
a. All claims confirmed			18	11%
b. All calims canceled			45	26%
c. Claims changed			107	63%



United States Patent and Trademark Office

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2014

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	13217	
a. By patent owner	3833	29%
b. by other member of the public	9217	70%
c. By order of Commissioner	167	1%
2. Number of Filings by dicipline		
a. Chemical Operation	3516	27%
b. Electrical Operation	5167	39%
c. Mechanical Operation	4330	33%
d. Design Patents	204	2%
3. Annual <i>Ex Parte</i> Reexam Filings		
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No		
1981 78 (3 mos.) 1989 243 1997 376 2005 524 2013 305		
1982 187 1990 297 1998 350 2006 511 2014 343		
1983 186 1991 307 1999 385 2007 643		
1984 189 1992 392 2000 318 2008 680		
1985 230 1993 359 2001 296 2009 658		
1986 232 1994 379 2002 272 2010 780		
1987 240 1995 392 2003 392 2011 759		
1988 268 1996 418 2004 441 2012 787		
4. Number known to be in litigation.....	4362	33%
5. Decisions on requests.....		12429
a. No. granted	11402	92%
(1) By examiner	11271	
(2) By Director (on petition)	131	
b. No. denied	1027	8%
(1) By examiner	990	
(2) Reexam vacated	37	
6. Total examiner denials (includes denials reversed by Director).....		1067
a. Patent owner requester	665	62%
b. Third party requester	621	58%
7. Overall reexamination pendency (Filing date to certificate issue date).....		
a. Average pendency	22.3 (mos.)	
b. Median pendency	15.9 (mos.)	

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2014

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	22%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	44%	1%	66%
9. Total ex parte reexamination certificates issued (1981 – present)				10698
a. Certificates with all claims confirmed			2303	22%
b. Certificates with all claims canceled			1301	12%
c. Certificates with claims changes			7094	66%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3256
a. All claims confirmed			685	21%
b. All calims canceled			289	9%
c. Claims changed			2282	70%
b. Certificates – 3rd PARTY REQUESTER				7272
a. All claims confirmed			1600	22%
b. All calims canceled			967	13%
c. Claims changed			4705	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				170
a. All claims confirmed			18	11%
b. All calims canceled			45	26%
c. Claims changed			107	63%

1 Total decisions on requests does not include requests that have been vacated or are pending.



United States Patent and Trademark Office

Commissioner for Patents

United States Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2013

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....	12874	
a. By patent owner	3833	30%
b. by other member of the public	8874	69%
c. By order of Commissioner	167	1%
2. Number of Filings by dicipline		
a. Chemical Operation	3435	27%
b. Electrical Operation	5001	39%
c. Mechanical Operation	4234	33%
d. Design Patents	204	2%
3. Annual <i>Ex Parte</i> Reexam Filings		
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No		
1981 78 (3 mos. 1989 243 1997 376 2005 524 2013 305		
1982 187 1990 297 1998 350 2006 511		
1983 186 1991 307 1999 385 2007 643		
1984 189 1992 392 2000 318 2008 680		
1985 230 1993 359 2001 296 2009 658		
1986 232 1994 379 2002 272 2010 780		
1987 240 1995 392 2003 392 2011 759		
1988 268 1996 418 2004 441 2012 787		
4. Number known to be in litigation.....	4167	32%
5. Decisions on requests.....	12016	
a. No. granted	11013	92%
(1) By examiner	10891	
(2) By Director (on petition)	122	
b. No. denied	1003	8%
(1) By examiner	968	
(2) Reexam vacated	35	
6. Total examiner denials (includes denials reversed by Director).....	1067	
a. Patent owner requester	498	47%
b. Third party requester	606	57%
7. Overall reexamination pendency (Filing date to certificate issue date)		
a. Average pendency	27.8 (mos.)	
b. Median pendency	20.1 (mos.)	

1 Total decisions on requests does not include requests that have been vacated or are pending.

updated as of 11/22/13

8. Reexam certificate claim analysis:	Owner Requeste	3rd Party Requeste	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All calims canceled	3%	8%	0%	11%
c. Claims changed	21%	40%	1%	62%
9. Total ex parte reexamination certificates issued (1981 – present)				9991
a. Certificates with all claims confirmed			2241	22%
b. Certificates with all claims canceled			1205	12%
c. Certificates with claims changes			6545	66%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3279
a. All claims confirmed			682	21%
b. All calims canceled			283	9%
c. Claims changed			2239	68%
b. Certificates – 3rd PARTY REQUESTER				7174
a. All claims confirmed			1541	21%
b. All calims canceled			882	12%
c. Claims changed			4201	59%
c. Certificates – COMMISSIONER INITIATED REEXAM				164
a. All claims confirmed			18	11%
b. All calims canceled			40	24%
c. Claims changed			105	64%

1 Total decisions on requests does not include requests that have been vacated or are pending.



United States Patent and Trademark Office

Commissioner for Patents
 United States Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450
 www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2012

1. Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....	12569
a. By patent owner	3872 31%
b. by other member of the public	8532 68%
c. By order of Commissioner	165 1%
2. Number a. Chemical Operation	3373 27%
b. Electrical Operation	4831 38%
c. Mechanical Operation	4178 33%
d. Design Patents	187 1%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No	
1981 78 (3 mos.) 1989 243 1997 376 2005 524	
1982 187 1990 297 1998 350 2006 511	
1983 186 1991 307 1999 385 2007 643	
1984 189 1992 392 2000 318 2008 680	
1985 230 1993 359 2001 296 2009 658	
1986 232 1994 379 2002 272 2010 780	
1987 240 1995 392 2003 392 2011 759	
1988 268 1996 418 2004 441 2012 788	
4. Number known to be in litigation.....	3994 32%
5. Decisions on requests.....	11737
a. No. granted.....	10755 92%
(1) By examiner	10762
(2) By Director (on petition)	122
b. No. denied.....	982 8%
(1) By examiner	961
(2) Reexam vacated	35
6. Total examiner denials (includes denials reversed by Director).....	1078
a. Patent owner requester	496 46%
b. Third party requester	582 54%
7. Overall reexamination pendency (Filing date to certificate issue date)	
a. Average pendency	27.9 (mos.)
b. Median pendency	20.5 (mos.)

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	21%	22%	11%	21%
b. All calims canceled	8%	12%	24%	11%
c. Claims changed	71%	66%	65%	68%
9. Total ex parte reexamination certificates issued (1981 – present)				9328
a. Certificates with all claims confirmed			2029	22%
b. Certificates with all claims canceled			1063	11%
c. Certificates with claims changes			6236	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3176
a. All claims confirmed			669	21%
b. All calims canceled			280	9%
c. Claims changed			2227	70%
b. Certificates – 3rd PARTY REQUESTER				6026
a. All claims confirmed			1348	22%
b. All calims canceled			745	12%
c. Claims changed			3933	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				164
a. All claims confirmed			18	11%
b. All calims canceled			38	23%
c. Claims changed			108	66%



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
 United States Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450
www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2011

1.	Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....	11782 ¹																																																																									
	a. By patent owner	3801	33%																																																																								
	b. By other member of public	7815	66%																																																																								
	c. By order of Commissioner	166	1%																																																																								
2.	Number of filings by discipline																																																																										
	a. Chemical Operation	3211	27%																																																																								
	b. Electrical Operation	4405	37%																																																																								
	c. Mechanical Operation	3987	34%																																																																								
	d. Design Patents	179	2%																																																																								
3.	Annual <i>Ex Parte</i> Reexam Filings																																																																										
	<table><tr><td>Fiscal Yr.</td><td>No.</td><td>Fiscal Yr.</td><td>No.</td><td>Fiscal Yr.</td><td>No.</td><td>Fiscal Yr.</td><td>No.</td></tr><tr><td>1981</td><td>78 (3 mos.)</td><td>1989</td><td>243</td><td>1997</td><td>376</td><td>2005</td><td>524</td></tr><tr><td>1982</td><td>187</td><td>1990</td><td>297</td><td>1998</td><td>350</td><td>2006</td><td>511</td></tr><tr><td>1983</td><td>186</td><td>1991</td><td>307</td><td>1999</td><td>385</td><td>2007</td><td>643</td></tr><tr><td>1984</td><td>189</td><td>1992</td><td>392</td><td>2000</td><td>318</td><td>2008</td><td>680</td></tr><tr><td>1985</td><td>230</td><td>1993</td><td>359</td><td>2001</td><td>296</td><td>2009</td><td>658</td></tr><tr><td>1986</td><td>232</td><td>1994</td><td>379</td><td>2002</td><td>272</td><td>2010</td><td>780</td></tr><tr><td>1987</td><td>240</td><td>1995</td><td>392</td><td>2003</td><td>392</td><td>2011</td><td>759</td></tr><tr><td>1988</td><td>268</td><td>1996</td><td>418</td><td>2004</td><td>441</td><td></td><td></td></tr></table>	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	1981	78 (3 mos.)	1989	243	1997	376	2005	524	1982	187	1990	297	1998	350	2006	511	1983	186	1991	307	1999	385	2007	643	1984	189	1992	392	2000	318	2008	680	1985	230	1993	359	2001	296	2009	658	1986	232	1994	379	2002	272	2010	780	1987	240	1995	392	2003	392	2011	759	1988	268	1996	418	2004	441				
Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.																																																																				
1981	78 (3 mos.)	1989	243	1997	376	2005	524																																																																				
1982	187	1990	297	1998	350	2006	511																																																																				
1983	186	1991	307	1999	385	2007	643																																																																				
1984	189	1992	392	2000	318	2008	680																																																																				
1985	230	1993	359	2001	296	2009	658																																																																				
1986	232	1994	379	2002	272	2010	780																																																																				
1987	240	1995	392	2003	392	2011	759																																																																				
1988	268	1996	418	2004	441																																																																						
4.	Number known to be in litigation.....	3894.....	33%																																																																								
5.	Decisions on requests.....	11262																																																																									
	a. No. granted.....	10333.....	92%																																																																								
	(1) By examiner	10213																																																																									
	(2) By Director (on petition)	120																																																																									
	b. No. denied	929.....	8%																																																																								
	(1) By examiner	894																																																																									
	(2) Reexam vacated	35																																																																									

¹Of the requests received in FY 2011, 22 requests have not yet been accorded a filing date, and preprocessing of 35 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....				1014
	a. Patent owner requester			476	47%
	b. Third party requester			538	53%
7.	Overall reexamination pendency (Filing date to certificate issue date)				
	a. Average pendency			25.6 (mos.)	
	b. Median pendency			19.9 (mos.)	
8.	Reexam certificate claim analysis:	Owner Requester	3 rd Party Requester	Comm'r Initiated	Overall
	a. All claims confirmed	21%	24%	11%	23%
	b. All claims cancelled	9%	12%	23%	11%
	c. Claims changes	70%	64%	66%	66%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present)				8578
	a. Certificates with all claims confirmed			1943	23%
	b. Certificates with all claims canceled			974	11%
	c. Certificates with claims changes			5661	66%
10.	Reexam claim analysis – requester is patent owner or 3 rd party or Commissioner initiated.				
	a. Certificates – PATENT OWNER REQUESTER				3040
	(1) All claims confirmed			651	21%
	(2) All claims canceled			264	9%
	(3) Claim changes			2125	70%
	b. Certificates – 3 rd PARTY REQUESTER				5380
	(1) All claims confirmed			1274	24%
	(2) All claims canceled			674	12%
	(3) Claim changes			3432	64%
	c. Certificates – COMMISSIONER INITIATED REEXAM				158
	(1) All claims confirmed			18	11%
	(2) All claims canceled			36	23%
	(3) Claim changes			104	66%



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
 United States Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450
www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2010

1. Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....	11023 ¹
a. By patent owner	3697 34%
b. By other member of public	7161 65%
c. By order of Commissioner	165 1%
2. Number of filings by discipline	
a. Chemical Operation	3068 28%
b. Electrical Operation	4010 36%
c. Mechanical Operation	3771 34%
d. Design Patents	174 2%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr. No. Fiscal Yr. No. Fiscal Yr. No. Fiscal Yr. No.	
1981 78 (3 mos.) 1989 243 1997 376 2005 524	
1982 187 1990 297 1998 350 2006 511	
1983 186 1991 307 1999 385 2007 643	
1984 189 1992 392 2000 318 2008 680	
1985 230 1993 359 2001 296 2009 658	
1986 232 1994 379 2002 272 2010 780	
1987 240 1995 392 2003 392	
1988 268 1996 418 2004 441	
4. Number known to be in litigation.....	3568.....32%
5. Decisions on requests.....	10495
a. No. granted.....	9648.....92%
(1) By examiner	9534
(2) By Director (on petition)	114
b. No. denied	847.....8%
(1) By examiner	812
(2) Reexam vacated	35

¹Of the requests received in FY 2010, 16 requests have not yet been accorded a filing date, and preprocessing of 80 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....	926		
a.	Patent owner requester	451	49%	
b.	Third party requester	475	51%	
7.	Overall reexamination pendency (Filing date to certificate issue date)			
a.	Average pendency	25.5 (mos.)		
b.	Median pendency	20.0 (mos.)		
8.	Reexam certificate claim analysis:			
		<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>
				<u>Overall</u>
a.	All claims confirmed	22%	25%	12%
b.	All claims cancelled	8%	13%	23%
c.	Claims changes	70%	62%	65%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present)	7782		
a.	Certificates with all claims confirmed	1817	23%	
b.	Certificates with all claims canceled	893	12%	
c.	Certificates with claims changes	5072	65%	
10.	Reexam claim analysis – requester is patent owner or 3 rd party or Commissioner initiated.			
a.	Certificates – PATENT OWNER REQUESTER	2947		
	(1) All claims confirmed	638	22%	
	(2) All claims canceled	251	8%	
	(3) Claim changes	2058	70%	
b.	Certificates – 3 rd PARTY REQUESTER	4681		
	(1) All claims confirmed	1161	25%	
	(2) All claims canceled	607	13%	
	(3) Claim changes	2913	62%	
c.	Certificates – COMMISSIONER INITIATED REEXAM	154		
	(1) All claims confirmed	18	12%	
	(2) All claims canceled	35	23%	
	(3) Claim changes	101	65%	



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
 United States Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450
www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2009

1. Total requests filed since start of *ex parte* reexam on 07/01/81..... 10243¹
 - a. By patent owner 3634 35%
 - b. By other member of public 6444 63%
 - c. By order of Commissioner 165 2%

2. Number of filings by discipline
 - a. Chemical Operation 2931 29%
 - b. Electrical Operation 3596 35%
 - c. Mechanical Operation 3554 34%
 - d. Design Patents 162 2%

3. Annual *Ex Parte* Reexam Filings

Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.
1981	78 (3 mos.)	1989	243	1997	376	2005	524
1982	187	1990	297	1998	350	2006	511
1983	186	1991	307	1999	385	2007	643
1984	189	1992	392	2000	318	2008	680
1985	230	1993	359	2001	296	2009	658
1986	232	1994	379	2002	272		
1987	240	1995	392	2003	392		
1988	268	1996	418	2004	441		

4. Number known to be in litigation.....3221.....31%

5. Decisions on requests.....9833
 - a. No. granted.....9041.....92%
 - (1) By examiner 8928
 - (2) By Director (on petition) 113
 - b. No. denied792.....8%
 - (1) By examiner 757
 - (2) Reexam vacated 35

¹Of the requests received in FY 2009, 22 requests have not yet been accorded a filing date, and preprocessing of 41 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....	870		
a.	Patent owner requester	445	51%	
b.	Third party requester	425	49%	
7.	Overall reexamination pendency (Filing date to certificate issue date)			
a.	Average pendency	25.2 (mos.)		
b.	Median pendency	19.7 (mos.)		
8.	Reexam certificate claim analysis:			
		<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>
				<u>Overall</u>
a.	All claims confirmed	22%	26%	12%
b.	All claims cancelled	8%	13%	23%
c.	Claims changes	70%	61%	65%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present)	7089		
a.	Certificates with all claims confirmed	1725	25%	
b.	Certificates with all claims canceled	807	11%	
c.	Certificates with claims changes	4557	64%	
10.	Reexam claim analysis – requester is patent owner or 3 rd party or Commissioner initiated.			
a.	Certificates – PATENT OWNER REQUESTER	2827		
	(1) All claims confirmed	625	22%	
	(2) All claims canceled	233	8%	
	(3) Claim changes	1969	70%	
b.	Certificates – 3 rd PARTY REQUESTER	4111		
	(1) All claims confirmed	1082	26%	
	(2) All claims canceled	540	13%	
	(3) Claim changes	2489	61%	
c.	Certificates – COMMISSIONER INITIATED REEXAM	151		
	(1) All claims confirmed	18	12%	
	(2) All claims canceled	34	23%	
	(3) Claim changes	99	65%	



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
 United States Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450
www.uspto.gov

Ex Parte Reexamination Filing Data - September 30, 2008

1.	Total requests filed since start of <i>ex partes</i> reexam on 07/01/81	9585 ¹																																																																										
	a. By patent owner	3567	37%																																																																									
	b. By other member of public	5853	61%																																																																									
	c. By order of Commissioner	165	2%																																																																									
2.	Number of filings by discipline																																																																											
	a. Chemical Operation	2811	29%																																																																									
	b. Electrical Operation	3261	34%																																																																									
	c. Mechanical Operation	3357	35%																																																																									
	d. Design Patents	156	2%																																																																									
3.	Annual Ex Parte Reexam Filings																																																																											
	<table><tr><td>Fiscal Yr.</td><td>No.</td><td>Fiscal Yr.</td><td>No.</td><td>Fiscal Yr.</td><td>No.</td><td>Fiscal Yr.</td><td>No.</td></tr><tr><td>1981</td><td>78 (3 mos.)</td><td>1989</td><td>243</td><td>1997</td><td>376</td><td>2005</td><td>524</td></tr><tr><td>1982</td><td>187</td><td>1990</td><td>297</td><td>1998</td><td>350</td><td>2006</td><td>511</td></tr><tr><td>1983</td><td>186</td><td>1991</td><td>307</td><td>1999</td><td>385</td><td>2007</td><td>643</td></tr><tr><td>1984</td><td>189</td><td>1992</td><td>392</td><td>2000</td><td>318</td><td>2008</td><td>680</td></tr><tr><td>1985</td><td>230</td><td>1993</td><td>359</td><td>2001</td><td>296</td><td></td><td></td></tr><tr><td>1986</td><td>232</td><td>1994</td><td>379</td><td>2002</td><td>272</td><td></td><td></td></tr><tr><td>1987</td><td>240</td><td>1995</td><td>392</td><td>2003</td><td>392</td><td></td><td></td></tr><tr><td>1988</td><td>268</td><td>1996</td><td>418</td><td>2004</td><td>441</td><td></td><td></td></tr></table>	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	1981	78 (3 mos.)	1989	243	1997	376	2005	524	1982	187	1990	297	1998	350	2006	511	1983	186	1991	307	1999	385	2007	643	1984	189	1992	392	2000	318	2008	680	1985	230	1993	359	2001	296			1986	232	1994	379	2002	272			1987	240	1995	392	2003	392			1988	268	1996	418	2004	441					
Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.																																																																					
1981	78 (3 mos.)	1989	243	1997	376	2005	524																																																																					
1982	187	1990	297	1998	350	2006	511																																																																					
1983	186	1991	307	1999	385	2007	643																																																																					
1984	189	1992	392	2000	318	2008	680																																																																					
1985	230	1993	359	2001	296																																																																							
1986	232	1994	379	2002	272																																																																							
1987	240	1995	392	2003	392																																																																							
1988	268	1996	418	2004	441																																																																							
4.	Number known to be in litigation.....	2849.....	30%																																																																									
5.	Decisions on requests.....	9219																																																																										
	a. No. granted.....	8467.....	92%																																																																									
	(1) By examiner	8354																																																																										
	(2) By Director (on petition)	113																																																																										
	b. No. denied	752.....	8%																																																																									
	(1) By examiner	717																																																																										
	(2) Reexam vacated	35																																																																										

¹Of the requests received in FY 2008, 7 requests have not yet been accorded a filing date, and preprocessing of 15 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reserved by Director).....	830		
a.	Patent owner requester	441	53%	
b.	Third party requester	389	47%	
7.	Overall reexamination pendency (Filing date to certificate issue date)			
a.	Average pendency	24.5 (mos.)		
b.	Median pendency	19.0 (mos.)		
8.	Reexam certificate claim analysis:			
		<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>
				<u>Overall</u>
a.	All claims confirmed	22%	28%	12%
b.	All claims cancelled	8%	13%	21%
c.	Claims changes	70%	59%	67%
9.	Total ex parte reexamination certificates issued (1981 – present)	6457		
a.	Certificates with all claims confirmed	1624	25%	
b.	Certificates with all claims canceled	721	11%	
c.	Certificates with claims changes	4112	64%	
10.	Reexam claim analysis – requester is patent owner or 3 rd party; or Comm'r initiated.			
a.	Certificates – PATENT OWNER REQUESTER	2722		
	(1) All claims confirmed	611	22%	
	(2) All claims canceled	214	8%	
	(3) Claim changes	1897	70%	
b.	Certificates – 3 rd PARTY REQUESTER	3588		
	(1) All claims confirmed	995	28%	
	(2) All claims canceled	476	13%	
	(3) Claim changes	2117	59%	
c.	Certificates – COMM'R INITIATED REEXAM	147		
	(1) All claims confirmed	18	12%	
	(2) All claims canceled	31	21%	
	(3) Claim changes	98	67%	